

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

United States of America,

Plaintiff

v.

Mykalai Kontilai,

Defendant

Case No. 2:20-cr-00109-CDS-DJA

**Order Granting in Part and Denying in Part
George Lambert's Emergency Motion to
Continue His Response Deadline**

[ECF No. 104]

Attorney George Lambert was ordered to show-cause, in writing, why his pro hac vice status should not be revoked in light of allegations that he smuggled contraband to defendant Mykalai Kontilai at the Nevada Southern Detention Center (NSDC). ECF No. 102. Lambert moves, on an emergency basis, to extend the response deadline from November 18, 2024, to December 5, 2024. ECF No. 104. He also seeks an order directing the United States Marshal Service (USMS) to “turn the video tape and email over to counsel.” *Id.* at 2. Although requested, the motion is properly resolved without a hearing. *See* Fed. R. Civ. P. 78; Local Rule 78-1.

The local rules of this district provide the court with the sole discretion to determine whether an “emergency” motion is, in fact, an emergency. LR 7-4(c). Emergency motions are disfavored and “should be rare” because of the “numerous problems they create for the opposing party and the court in resolving them.” LR 7-4(b); *Cardoza v. Bloomin’ Brands, Inc.*, 141 F. Supp. 3d 1137, 1140 (D. Nev. 2015). Having reviewed the motion, I find that it does not constitute an emergency. However, because Lambert states that examining the video of his entrance into NSDC as well as the email related to the misconduct allegations would help provide a meaningful response, I grant his request for an extension of time.

In addition, Lambert’s motion seeks an order instructing the USMS to turn over any and all emails and videos, along with any notes and correspondence. ECF No. 104 at 2, 29. This

1 district's local rules require that parties file a separate motion for each type of relief requested or
2 purpose of the document. Local Rule IC 2-2(b). For this reason, Lambert's motion asking for an
3 order directing the USMS to turn over the video is denied.

4 **Conclusion**

5 IT IS THEREFORE ORDERED that Lambert's emergency motion to continue his
6 response deadline [ECF No. 104] is **granted in part and denied in part**, as set forth in this
7 order. The deadline for Lambert to respond to the November 5, 2024, order to show cause is
8 extended to December 5, 2024.

9 Dated: November 13, 2024

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11 Cristina D. Silva
12 United States District Judge
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